



Office of the Commissioner for  
Federal Judicial Affairs Canada  
Ottawa, Canada  
K1A 1E3

Commissariat à la  
magistrature fédérale Canada

March 27, 2019

The Honourable Lisa Raitt, P.C., M.P.  
Member of Parliament for Milton  
House of Commons  
Parliament Hill Office  
Justice Building – Room 501  
Ottawa, Ontario K1A 0A6

I acknowledge receipt of your letter of yesterday regarding the release to the media of confidential matters related to appointments to the Supreme Court of Canada.

I am deeply concerned and troubled about the release to the media of any confidential information, be it accurate or not, that pertains to judicial appointments to the Supreme Court of Canada, and to some of the finest jurists in our country. The release of any such confidential information is wholly inappropriate.

The responsibilities of my office are defined in the *Judges Act*. These are, generally, to administer the *Act*, provide support to the Canadian Judicial Council, and take on other duties for the proper functioning of the judicial system in Canada. Amongst those other duties entrusted to my office for the proper functioning of the judicial system in Canada is the support and administration of the Independent Advisory Board for Supreme Court of Canada Judicial Appointments. Recent reports in the media do not refer however to any matter regarding the Advisory Board's work.

Essentially, my office is the intermediary between the judiciary and the executive, and the *Judges Act* does not provide me with any investigatory power. My office is unlike certain other federal organisations whose mandates are essentially to investigate, and whose authority, mechanisms and timelines for such may be defined in their own statute.

In light of my particular role and my enabling statute, I am therefore not in position to accede to your request to investigate.

Yours truly,

Marc A. Giroux  
Commissioner